April 11, 2013

To: University Senate

From: Jeff Ford, Chair Senate Rules Committee

Subject: Proposal to Amend Faculty Rule 3335-5-05

WHEREAS the definitions of faculty have been expanded into more inclusive language; and

WHEREAS all faculty are afforded the privilege of academic freedom and responsibility as defined in 3335-5-01;

NOW BE IT THEREFORE RESOLVED that the University Senate approves the proposed changes to Faculty Rule 3335-5-04 and respectfully requests the concurrence of the Board of Trustees, said proposal to be effective as approved by the Board of Trustees.

3335-5-05 Procedures concerning faculty complaints about promotion, tenure and renewal decisions.

(A) Definitions and construction.

   (1) Complaints concerning promotion, tenure, or renewal decisions may be made to the committee on academic freedom and responsibility by tenured or probationary faculty any member of the faculty as defined in Chapter 3335-5-19 of the Administrative Code.

Remainder Unchanged.
April 11, 2013

To: University Senate
From: Jeff Ford, Chair Senate Rules Committee
Subject: Proposal to Amend Faculty Rules 3335-5-19 and 3335-5-19.1

WHEREAS faculty titles have become confusing and unwieldy; and

WHEREAS references to clinical faculty have been obfuscated due to many interpretations; and

WHEREAS the term auxiliary faculty may imply a degree of undesired marginalization; and

WHEREAS lucid definitions of faculty better serve the university community; and

WHEREAS the term regular faculty has raised numerous questions about faculty status; and

WHEREAS participation by all faculty strengthens the university;

NOW BE IT THEREFORE RESOLVED that the University Senate approves the proposed changes to the Rules of the University Faculty and respectfully requests the concurrence of the Board of Trustees, said proposal to be effective as approved by the Board of Trustees.
3335-5-19 Faculty.

As used in these rules the term "faculty" shall include persons appointed by the board of trustees with regular tenure-track, regular clinical, regular research, auxiliary, non-tenure track, and emeritus faculty titles on full- or part-time appointments, with or without salary.

(A) "Regular Tenure-track faculty": persons with the titles of professor, associate professor, assistant professor, and instructor who serve on appointments totaling fifty per cent or more service to the university and who are eligible for tenure or who have obtained tenure.

(B) "Non-tenure-track faculty": all faculty positions within the university that are not tenure-track and are not eligible for tenure. This includes the following categories:

(B)1. "Regular Clinical faculty": Regular clinical faculty serve under fixed term contracts and are not eligible for tenure. Regular clinical faculty appointments are described in Chapter 3335-7 of the Administrative Code.

(B)2. "Regular Research faculty": Regular research faculty serve under fixed term contracts and are not eligible for tenure. Regular research faculty appointments are described in Chapter 3335-7 of the Administrative Code.

(C)3. "Auxiliary Associated faculty": persons with adjunct titles, clinical practice titles, adjunct titles, visiting titles, and lecturer titles; also professors, associate professors, assistant professors, and instructors who serve on appointments totaling less than fifty per cent service to the university. Persons with regular tenure-track, clinical, or research faculty titles may not hold auxiliary associated titles. Persons holding auxiliary associated titles are not eligible for tenure and may not participate in the promotion and tenure reviews of tenure-track, clinical, or research faculty. Persons with associated titles are permitted to participate in college or academic unit governance where approved by a vote of at least a majority of all of its tenure track faculty and also clinical and research faculty in those colleges and units where they have been given voting rights, may not vote at any level of governance, and may not participate in promotion and tenure matters. Auxiliary Associated faculty appointments may be made for a maximum of three consecutive years and, with the exception of visiting titles, may be renewed.

a. Clinical Practice Faculty: The titles of clinical professor of practice, clinical associate professor of practice, clinical assistant professor of practice, and clinical instructor of practice shall be used to confer faculty status on individuals who have credentials comparable to regular clinical faculty of equivalent rank and who either provide significant, uncompensated service for which a faculty title is needed or compensated service to the clinical instructional programs in the colleges of the health sciences. Clinical practice appointments are made for the period in which the service is provided. Renewal of no-salary appointments is contingent upon continued significant contributions. Procedures for the promotion of clinical practice faculty members shall be the same as for promotion of regular-clinical faculty.

b. Visiting Faculty: The titles of visiting professor, visiting associate professor, and visiting assistant professor shall be used to confer faculty status on individuals who have credentials comparable to regular tenure-track, clinical or research faculty of equivalent rank who spend a limited period of time on formal appointment and in residence at this institution for purposes of participating in the instructional and research programs of the university. A visiting appointment cannot exceed three continuous academic years of service.

c. Adjunct Faculty: The titles of adjunct professor, adjunct associate professor, and adjunct assistant professor, shall be used to confer faculty status on individuals who have credentials comparable to regular tenure-track, clinical, or research faculty of equivalent rank, who provide significant, uncompensated service to the instructional and/or research programs of the university and who need a faculty title to perform that service. Significant service would include teaching the equivalent of one or more courses, advising graduate students or serving on graduate committees, and serving as a co-investigator on a research project. Such individuals may be either nonuniversity employees or university employees compensated on a noninstructional budget. Adjunct appointments are made for the period in which the
uncompensated service is provided. Renewal of adjunct appointments is contingent upon continued significant contributions. Procedures for the promotion of adjunct faculty members shall be the same as for promotion of regular, tenure, clinical, or research faculty.

d. Lecturer: The titles of lecturer and senior lecturer shall be used for all compensated instructional appointments where other titles are not appropriate. Lecturers' responsibilities shall be limited to formal course instruction and are limited to teaching as defined in Chapter 3335-6 of the Administrative Code.

(1) The titles of adjunct professor, adjunct associate professor, adjunct assistant professor, and adjunct instructor shall be used to confer faculty status on individuals who have credentials comparable to regular faculty of equivalent rank, who provide significant, uncompensated service to the instructional and/or research programs of the university and who need a faculty title to perform that service. Significant service would include teaching the equivalent of one or more courses, advising graduate students or serving on graduate committees, and serving as a co-investigator on a research project. Such individuals may be either nonuniversity employees or university employees compensated on a noninstructional budget. Adjunct appointments are made for the period in which the uncompensated service is provided not to exceed one year; renewal is contingent upon continued significant contributions. Procedures for the promotion of adjunct faculty members shall be the same as for promotion of regular faculty.

(2) The titles of clinical professor, clinical associate professor, clinical assistant professor, and clinical instructor shall be used to confer faculty status on individuals who have credentials comparable to regular clinical faculty of equivalent rank and who either provide significant, uncompensated service for which a faculty title is needed or compensated service to the clinical instructional programs in the colleges of the health sciences. Clinical appointments are made for the period in which the service is provided not to exceed one year. Renewal of no-salary appointments is contingent upon continued significant contributions. Procedures for the promotion of clinical faculty members shall be the same as for promotion of regular clinical faculty.

(3) The titles of visiting professor, visiting associate professor, visiting assistant professor, and visiting instructor shall be used to confer faculty status on individuals who have credentials comparable to regular faculty of equivalent rank who spend a limited period of time on formal appointment and in residence at this institution for purposes of participating in the instructional and research programs of the university. A visiting appointment cannot exceed three continuous academic years of service.

(4) The titles of lecturer and senior lecturer shall be used for all compensated instructional appointments where other titles are not appropriate. Lecturers' responsibilities shall be limited to formal course instruction.

(E)(C) "Emeritus faculty": regular tenure-track, regular clinical faculty, or regular research faculty who, upon retirement, were recommended by the chair, the dean and the executive vice president and provost for emeritus status. Emeritus faculty may not vote at any level of governance and may not participate in promotion and tenure matters but may have such other privileges as individual academic units or the office of human resources may provide.

3335-5-19.1 University faculty.

For purposes of the governance functions described in rules 3335-5-20 to 3335-5-25 of the Administrative Code, the term "university faculty" shall mean all regular tenure-track faculty, the president, members of the president's planning cabinet serving at the president's pleasure and designated as executive heads of offices, the deans of the colleges and of the graduate school, and the dean for undergraduate education. (B/T 3/3/78, B/T 2/6/87, B/T 11/2/90, B/T 5/3/96, B/T12/4/98, B/T 5/4/2001, B/T
April 11, 2013

To: University Senate

From: Jeff Ford, Chair Senate Rules Committee

Subject: Proposal to amend Faculty Rules contained within 3335-7

WHEREAS the term regular clinical faculty has raised numerous questions about faculty status; and

WHEREAS the term auxiliary clinical faculty may inadvertently imply a degree of undesired marginalization;

NOW BE IT THEREFORE RESOLVED that the University Senate approves the proposed changes to the Rules of the University Faculty and respectfully requests the concurrence of the Board of Trustees, said proposal to be effective as approved by the Board of Trustees.
Chapter 3335-7
Rules of the university faculty concerning regular clinical track faculty appointment, reappointment and nonreappointment, and promotion

3335-7-01 Definition.
Regular clinical track faculty appointments are fixed term contract appointments that do not entail tenure. Regular clinical track faculty are teacher/practitioners and shall be engaged primarily in teaching activities related to: a) courses or instructional situations involving live patients or live clients, b) courses or instructional situations involving the simulation of live patients or live clients, or c) courses or instructional situations involving professional skills.

3335-7-02 Titles.
The term "regular clinical track faculty" exists for the purpose of recording this type of appointment in the university’s employment system data base. If individual colleges, schools, and departments with regular clinical track faculty wish to provide clinical faculty with faculty-rank titles, then whatever title is used must be distinct from tenure-track titles (see paragraph (A) of rule 3335-5-19 of the Administrative Code). Examples include, but are not limited to, professor of clinical (name of college, school, or department), and Associate professor of professional practice, and Assistant Professor of Practice.

3335-7-03 Appointment cap.
Unless an exception is approved by the university senate and the board of trustees, clinical track faculty may comprise no more than forty percent of the total faculty (as defined in rule 3335-5-19 of the Administrative Code) in each of the departments, schools, and colleges of the health sciences and no more than twenty percent of the tenure-track faculty in other departments, schools, and colleges.

3335-7-04 Proposals and approval process.
(A) Proposals to establish or amend a regular clinical faculty track in a college or school reporting directly to Office of Academic Affairs (OAA) must be submitted to the provost by the dean of the college or director of the school reporting directly to OAA. Proposals must include a clear rationale for establishing a regular clinical faculty track and address how the terms and conditions of the appointments will be consistent with the rules set forth in Chapter 3335-7 of the Administrative Code, what titles will be given to regular clinical track faculty, and what department and college governance rights will be extended to regular clinical track faculty. Regular clinical track faculty may not participate in the promotion and tenure reviews of tenure-track faculty. In addition, proposals must include the following components:

(1) A definition of the role in teaching and scope of professional practice duties of clinical track faculty, identifying specifically how those differ from duties of tenure-track faculty;

(2) Identification of the requirements for a clinical track faculty appointment, including appropriate terminal degrees and any credential or licensure requirements; and

(3) A list of courses that could be taught by clinical track faculty and the relationship of those courses to the general curriculum. The expectation would be that clinical track faculty should teach primarily courses involving professional practice in the clinical setting or courses designed to teach professional skills.

Proposals must comply with any additional guidelines promulgated by the council on academic affairs and will be reviewed according to criteria specified by the council on academic affairs.
(B) With the exception of changes to existing titles, proposals from a college or school reporting directly to OAA to establish or amend a regular clinical faculty track must be approved by a majority of the tenure-track faculty of the college or school reporting directly to OAA proposing to have a regular clinical faculty track, by the dean of the college or school reporting directly to OAA, by the executive vice president and provost, by the university senate, and by the board of trustees. The executive vice president and provost will transmit all proposals to the council on academic affairs, which will review proposals and make a recommendation to the university senate. Title changes must be consistent with rule 3335-7-02 of the Administrative Code, but need only be approved by a majority of the regular tenure track faculty and dean of the college of director of the school reporting directly to OAA proposing the amendment.

3335-7-05 Criteria for appointment, for reappointment and nonreappointment, and for promotion.

Regular clinical track faculty may be appointed by colleges that do not have schools or departments and by schools and departments in colleges that have such subunits. The criteria for appointment, for reappointment and nonreappointment, and for promotion for regular clinical track faculty shall be established by the college, school, or department making such appointments and shall be set forth in that unit's appointments, promotion, and tenure document. The criteria must be consistent with the rationale for having a regular clinical faculty track in the unit in question and must be distinct from the criteria for tenure-track faculty appointments. However, normally regular clinical track faculty will have an earned doctorate or other terminal degree in the relevant field or equivalent experience. The criteria for appointment, for reappointment and nonreappointment, and for promotion should reflect the importance of the responsibilities of regular clinical track faculty.

3335-7-06 Procedures for appointment.

Procedures for appointment of regular clinical track faculty shall be established by the college, school, or department making such appointments and shall be set forth in that unit's appointments, promotion, and tenure document. Appointments at the rank of associate professor or professor require prior approval of the office of academic affairs.

3335-7-07 Term of appointment.

(A) Contracts must be for a period of at least three years and for no more than five years.

(B) The initial contract is probationary and a clinical faculty member will be informed by the end of each probationary year as to whether he or she will be reappointed for the following year. By the end of the second to final year of the probationary contract, the faculty member will be informed as to whether a new contract will be extended at the conclusion of the probationary contract period. In the event that a new contract is not extended, the final year of the probationary contract is the terminal year of employment. There is no presumption that a new contract will be extended. In addition, the terms of a contract may be renegotiated at the time of reappointment.

(C) During and until the end of the second and subsequent contract periods, regular clinical track faculty appointments may only be terminated for cause (see rule 3335-5-04 of the Administrative Code) or financial exigency (see rule 3335-5-02.1 of the Administrative Code) and the termination decision for either of these reasons shall result from procedures established by faculty rules. In addition, a contract may be renegotiated during a contract period only with the voluntary consent of the clinical faculty member. By the end of the penultimate year of each contract period, the clinical faculty member will be informed as to whether a new contract will be extended at the conclusion of the current contract.
period. If a new contract is not extended, the final year of the current contract is a terminal year of employment. There is no presumption that a new contract will be extended. In addition, the terms of a contract may be renegotiated at the time of reappointment.

(D) The standards of notice set forth in rule 3335-6-08 of the Administrative Code apply to regular clinical faculty track appointments.

3335-7-08 Annual review, reappointment/nonreappointment, and promotion review procedures. The procedures for reviewing regular clinical track faculty annually and for reappointment/nonreappointment and promotion shall be set forth in the relevant college, school or department appointments, promotion, and tenure document and shall be consistent with review procedures established for tenure-track faculty, including those set forth in rules 3335-6-03 and 3335-6-04 of the Administrative Code with the following exceptions:

(A) The college dean's decision shall be final with respect to reappointment and nonreappointment and with respect to denial of promotion; and

(B) External evaluations are optional.

3335-7-09 Transfers from the tenure track faculty to the regular clinical track faculty. A college, school, or department may provide for the possibility of transfers from the tenure faculty track to the regular clinical faculty track if appropriate to its circumstances. A unit that permits transfers must abide by the following:

(A) The request for transfer must be initiated by the faculty member in writing and must state clearly how the individual's career goals and activities have changed;

(B) When a tenured faculty member transfers to the regular clinical faculty track, tenure is lost; and

(C) All transfers must be approved by the school director or department chair, the college dean, and the executive vice president and provost.

3335-7-10 Transfers from the regular clinical faculty track to the tenure faculty track. Transfers from the regular clinical faculty track to the tenure-track faculty are not permitted. Regular clinical faculty may apply for tenure-track positions and compete in regular national searches for such positions.

3335-7-11 Participation in governance by regular clinical track faculty. (A) A college or academic unit that appoints regular clinical track faculty determines the level of participation in college and departmental structures.

(B) A college or academic unit that appoints regular clinical track faculty and elects senators may, by vote of at least a majority of all of its regular tenure track faculty, determine that the regular clinical track members of its faculty are eligible for election to the university senate.

(C) Following approval by a college or academic unit of eligibility of its regular clinical track faculty for election to the senate under the foregoing paragraph:
(1) For purposes of selection of university senators, the electorate for the college or academic unit shall be composed of all regular tenure track and regular clinical track faculty.

(2) Any regular clinical track faculty member appointed by the college or academic unit may stand for election to serve as a representative in the senate.

(3) The minimum and maximum numbers of clinical track faculty from each college or academic unit that may serve as representatives in the senate shall be determined by majority vote of regular tenure track and regular clinical track faculty appointed by that college or academic unit within the limits provided for in paragraph 4 of this section.

(4) One senator or not more than 45% of the senators representing that college or academic unit, whichever is greater, may be regular clinical track faculty of the college or academic unit.
April 11, 2013

To: University Senate

From: Jeff Ford, Chair Senate Rules Committee

Subject: Proposal to amend Faculty Rules 3335-7-30 through 3335-7-40

WHEREAS the term regular research faculty has raised numerous questions about faculty status; and

WHEREAS the term regular faculty may imply a degree of undesired marginalization;

NOW BE IT THEREFORE RESOLVED that the University Senate approves the proposed changes to the Rules of the University Faculty and respectfully requests the concurrence of the Board of Trustees, said proposal to be effective as approved by the Board of Trustees.
3335-7-30 Definition.

Regular research track faculty appointments are fixed term contract appointments that do not entail tenure. Research track faculty are researchers and shall be engaged in research related to the mission and goals of the academic unit. (B/T 6/4/2004)

3335-7-31 Titles.

The term “regular research track faculty” will exist solely for the purpose of recording this type of appointment in the university's employment system database. Titles will be research professor of (name of college, school or department), research associate professor, research assistant professor. (B/T 6/4/2004)

3335-7-32 Criteria for appointment, for reappointment and non-reappointment, and for promotion.

With tenure-track faculty majority approval, regular research track faculty may be appointed by colleges that do not have schools or departments and by schools and departments in colleges that have such subunits. Unless otherwise authorized by a majority vote of the tenure-track faculty in a unit, regular research track faculty must comprise no more than twenty per cent of the number of tenure-track faculty in the unit. In all cases, however, the number of regular research track faculty positions in a unit must constitute a minority with respect to the number of tenure-track faculty in the unit.

The criteria for appointment, reappointment and non-reappointment, and for promotion for regular research track faculty shall be established by the college, school or department making such appointments and shall be set forth in that unit’s appointments, promotion and tenure document and approved by a majority vote of the regular tenure-track faculty of the unit and approved by the office of academic affairs. The criteria must be distinct from the criteria for tenure-track faculty appointments and cannot require classroom teaching. Regular research track faculty will have an earned doctorate or other terminal degree in the relevant field. The criteria for appointment, for reappointment and non-reappointment, and for promotion should reflect the preponderance of responsibilities being in research activities. (B/T 6/4/2004)

3335-7-33 Procedures for appointment.

Procedures for appointment of regular research track faculty shall be established by the college, school or department making such appointments and set forth in that unit’s appointments, promotion, and tenure document and approved by a vote of the regular tenure-track faculty of the unit and the office of academic affairs. Appointments at the rank of research associate professor or research professor require prior approval of the relevant college and the office of academic affairs. (B/T 6/4/2004)

3335-7-34 Duties and responsibilities.

The primary duty of regular research track faculty is to conduct research. A research track faculty member may, but is not required to, participate in limited educational activities in the area of his or her expertise. However, teaching opportunities for each research track faculty member must be approved by a majority vote of the TIU’s regular tenure-track faculty. Under no circumstances may a member of the research track faculty be continuously engaged over an extended period in the same instructional activities as tenure-track faculty. An appointment to a research track faculty
position should not be made to displace or make unnecessary an appointment to a tenure-track faculty position.

3335-7-35 Term of appointment.

(A) Contracts will be for a period of at least one year and for no more than five years.

(B) Contracts must explicitly state the expectations for salary support and generally will require one hundred per cent salary recovery. It is expected that salary recovery/support will be derived from extramural funds.

(C) The initial contract is probationary, and a research faculty member will be informed by the end of each probationary year as to whether he or she will be reappointed for the following year. By the end of the penultimate year of the probationary contract, the research faculty member will be informed as to whether a new contract will be extended at the conclusion of the probationary contract period. In the event that a new contract is not extended, the final year of the probationary contract is the terminal year of employment. There is no presumption that a new contract will be extended. In addition, the terms of a contract may be renegotiated at the time of reappointment.

(D) During and until the end of the second and subsequent contract periods, regular research track faculty appointments may be terminated for not meeting the terms of the contract (e.g. failure to obtain extramural support for the research). Appointments may also be terminated during a contract period for cause (see rule 3335-5-04 of the Administrative Code), or financial exigency (see rule 3335-5-02.1 of the Administrative Code), and the termination decision for either of these reasons shall result from procedures established by faculty rules. In addition, a contract may be renegotiated during a contract period only with the voluntary consent of the regular research track faculty member. By the end of the penultimate year of each contract period, the regular research track faculty member will be informed as to whether a new contract will be extended at the conclusion of the current contract period. If a new contract is not extended, the final year of the current contract is a terminal year of employment. There is no presumption that a new contract will be extended. In addition, the terms of a contract may be renegotiated at the time of reappointment.


3335-7-36 Annual review, reappointment/nonreappointment, and promotion review procedures.

The procedures for reviewing regular research track faculty annually and for reappointment/nonreappointment and promotion shall be set forth in the relevant, tenure-track faculty approved, college, school or department appointments, promotion and tenure document and shall be consistent with review procedures established for tenure-track faculty including those set forth in rules 3335-6-03 and 3335-6-04 of the Administrative Code except that the college dean’s decision shall be final with respect to reappointment and non-reappointment and with respect to denial of promotion. (B/T 6/4/2004)

3335-7-37 Governance rights.

Governance rights within a tenure-initiating unit (TIU) at the local level will be determined by the TIU and will require a vote of its eligible faculty. Research track faculty will be eligible to serve on university committees and task forces but not on university governance committees.
Research track faculty will also be eligible to advise and supervise graduate and postdoctoral students and to be a principal investigator on extramural research grant applications. Approval to advise and supervise graduate students must be obtained from the graduate school as set forth in rule 3335-5-29 and detailed in the graduate school handbook.

Research track faculty will not be eligible to vote on the promotion and tenure of tenure-track faculty or regular-clinical track faculty. (B/T 6/4/2004)

3335-7-38 Transfers from the tenure-track faculty to the regular research track faculty.

A college, school or department may provide for the possibility of transfer from the tenure-track faculty to the research track faculty if appropriate to its circumstances and if provided for in the unit’s appointments, promotion and tenure document. A unit that permits transfers must abide by the following:

(A) The request for transfer must be initiated by the tenure-track faculty member in writing and must state clearly how the individual’s career goals and activities have changed.

(B) When a tenured faculty member transfers to the regular research track faculty, tenure is relinquished.

(C) The school director or department chairperson, the college dean, and the executive vice president and provost must approve all transfers. (B/T 6/4/2004)

3335-7-39 Transfers from the regular research track faculty to the tenure-track faculty.

Transfers from the regular research track faculty to the tenure-track faculty are not permitted. However, regular research track faculty may apply for tenure-track positions and compete in regular national searches for such positions. (B/T 6/4/2004)

3335-7-40 Oversight.

The office of academic affairs will submit an annual report to the university senate detailing the number, funding source, and TIU of regular research track faculty appointments that have been made the previous year. Also included in the report will be the conditions of the appointments including fiscal arrangements. In unusual circumstances, salaries of research track faculty may be paid on a temporary basis from funds other than those generated from tuition and subsidy.
April 11, 2013

To: University Senate

From: Jeff Ford, Chair Senate Rules Committee

Subject: Proposal to Amend Faculty Rule 3335-5-01, 3335-5-02, and 3335-5-02.1

WHEREAS academic freedom is essential to the integrity and mission of the university; and

WHEREAS all faculty are afforded the privilege of academic freedom;

NOW BE IT THEREFORE RESOLVED that the University Senate approves the proposed changes to the Rules of the University Faculty and respectfully requests the concurrence of the Board of Trustees, said proposal to be effective as approved by the Board of Trustees.
3335-5-01 Academic freedom and responsibility.

(A) The Ohio state university endorses full academic freedom as essential to attain the goal of the free search for truth and its free exposition. Academic freedom and academic responsibility are twin guardians of the integrity of institutions of higher learning. This integrity is essential to the preservation of a free society and explains the willingness of society historically to accept the concept of academic freedom and, in addition, to protect it through the institution of academic tenure.

(B) The principal elements of academic freedom include the freedom of teachers faculty to:
   (1) Teach, conduct research, and publish research findings;
   (2) Discuss in classrooms, in their own manner, any material that is relevant to the subject matter as defined in the course syllabus;
   (3) Exercise their constitutional rights as citizens without institutional censorship or discipline;
   (4) Seek changes in academic and institutional policies through lawful and peaceful means.

(C) Academic freedom carries with it correlative academic responsibilities. The principal elements include the responsibility of teachers faculty to:
   (1) Meet their defined teaching, research, and service obligations;
   (2) Pursue excellence, intellectual honesty, and objectivity in teaching, in conducting research, and in publishing research findings;
   (3) Encourage students and colleagues to engage in free discussion and inquiry;
   (4) Evaluate student and colleague performance on a scholarly basis;
   (5) Refrain from persistently introducing matters that have no bearing on the subject matter of the course;
   (6) Work with appropriate individuals and bodies to provide optimal conditions conducive to the attainment of the free search for truth and its free exposition;
   (7) Differentiate carefully between official activities as teachers faculty and personal activities as citizens, and to act accordingly.

3335-5-02 Appointments and continuing employment; conditions upon.

(A) Upon nomination and recommendation by the president of the university, the board of trustees shall make all appointments to all positions within the university and approve the salaries therefor.

(B) In defense of the freedom of those who teach and those who learn, and of the governmental system upon which such freedom is dependent, the conditions hereinafter set forth shall govern all initial appointments and continuing employment by the university.

(C) It shall be sufficient cause for the removal of any officer, teacher faculty or employee of the university, pursuant to the procedures set forth in rule 3335-5-04 of the Administrative Code, that such officer, employee, or teacher advocate, or have membership in an organization which is generally known to advocate the overthrow of the government of the United States, or of the state of Ohio, by force, violence or other unlawful means. (Reference is made to the provisions of section 124.36 of the Revised Code.)
3335-5-02.1 Financial exigency.

(A) through (B) unchanged

(C) Review of administration proposals for alleviating financial exigency.

(1) Upon determination of a state of financial exigency and upon receipt from the executive vice president and provost of proposals, prepared in consultation with the college faculties, for curtailment of academic programs to alleviate financial exigency, the council on academic affairs shall review the proposals.

(2) For the purpose of this review, the council is to be an advisory committee to the president and is to report the results of its review both to the president and to the university senate.

(3) For this review, the council shall be chaired by a tenured faculty member of the council. If neither the chair nor the vice chair of the council is a tenured faculty member of the council, then a tenured faculty member of the council shall be elected to act as chair of the council for the review of these proposals and for the submission of results to the president and to the university senate.

(4) through (5) unchanged

(6) In the review, the council shall:

(a) Consider alternatives to those proposals which would result in involuntary termination of tenured faculty members or regular tenure track faculty members in the probationary period;

(b) through (g) unchanged

(7) The council shall conduct a hearing or hearings at which appropriate administrators, faculty members, and students are invited to testify.

(8) Within sixty days of the receipt of the proposals or such time as the president may designate, the council shall submit its report to the president and the university senate.

(D) Ending a state of financial exigency. A state of financial exigency ends one year after determination, unless ended sooner by the board of trustees.